

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: FAIRFIELD SENTRY LIMITED, et al., Debtor in Foreign Proceedings.	Chapter 15 Case Case No. 10-13164 (CGM) Jointly Administered
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al., Plaintiffs, v. HSBC SECURITIES SERVICES (LUXEMBOURG) SA, et al., Defendants.	Adv. Pro. No. 10-03630 (CGM)
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al., Plaintiffs, v. HSBC PRIVATE BANK (SUISSE) SA, et al., Defendants.	Adv. Pro. No. 10-03633 (CGM)

AMENDED SCHEDULING ORDER FOR HSBC DEFENDANTS' PJ MOTIONS

WHEREAS, on September 28, 2021, the Court entered a scheduling order in these actions for briefing motions to dismiss for lack of personal jurisdiction ("PJ Motions");

WHEREAS, Liquidators filed motions seeking to adjourn oral argument on the PJ Motions filed by two of the defendants in these actions, HSBC Securities Services (Luxembourg) S.A.

and HSBC Private Bank (Suisse) S.A. (collectively, “HSBC”), and to obtain leave to file sur-replies responding to new documents and arguments introduced by HSBC for the first time on reply (“Motions”) (*Fairfield Sentry Ltd. (In Liquidation) v. HSBC Secs. Servs. (Luxembourg) S.A. (“HSSL”)*, No. 10-ap-03630 (Bankr. S.D.N.Y. Mar. 24, 2023), ECF Nos. 288–89; *Fairfield Sentry Ltd. (In Liquidation) v. HSBC Private Bank (Suisse) S.A. (“PBRs”)*, No. 10-ap-03633 (Bankr. S.D.N.Y. Mar. 24, 2023), ECF Nos. 230–31); and

WHEREAS, this Court has reviewed the Motions and briefs in opposition thereto, and has determined that “[g]ood cause exists to amend the scheduling order and allow the Liquidators to file a sur-reply addressing [HSBC’s] new arguments” (Memorandum Decision Granting Plaintiffs’ Motion to Amend the Scheduling Order at *6, *HSSL*, ECF No. 300; Memorandum Decision Granting Plaintiffs’ Motion to Amend the Scheduling Order at *6, *PBRs*, ECF No. 242);

IT IS NOW, THEREFORE, HEREBY ORDERED, that:

1. The Motions are granted;
2. Oral argument on HSBC’s PJ Motions is adjourned to **July 19, 2023**;
3. The Liquidators shall file sur-replies in the HSBC actions of no more than 15 pages each on or before **June 30, 2023**;

[Remainder of page left intentionally blank]

4. To the extent not modified herein, the provisions of prior applicable scheduling orders remain in full force and effect. *See* Second Amended Scheduling Order, *HSSL*, No. 245; Second Amended Scheduling Order, *PBRs*, ECF No. 205.

Dated: April 21, 2023
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge